

**Minutes of the Regular Meeting of the  
STATE BOARD OF EDUCATION  
OLIVER HODGE EDUCATION BUILDING  
2500 NORTH LINCOLN BOULEVARD, ROOM 1-20  
OKLAHOMA CITY, OKLAHOMA**

**March 26, 2015**

The State Board of Education met in regular session at 12:55 p.m. on Thursday, March 26, 2015, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 12:55 p.m. on Wednesday, March 25, 2015.

The following were present:

Ms. Terrie Cheadle, Secretary to the Board

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board  
MG (R) Lee Baxter, Lawton  
Ms. Amy Ford, Durant  
Mr. William "Bill" Price, Oklahoma City  
Mr. William "Bill" Shdeed, Oklahoma City

Members of the State Board of Education not present:

Ms. Cathryn Franks, Roosevelt  
Mr. Daniel Keating, Tulsa

Others in attendance are shown as an attachment.

**CALL TO ORDER  
AND  
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 1:00 p.m. and welcomed everyone to the meeting. Ms. Cheadle called the roll and ascertained there was a quorum.

**PLEDGE OF ALLEGIANCE, OKLAHOMA  
FLAG SALUTE, AND MOMENT OF SILENCE**

Superintendent Hofmeister led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

**STATE SUPERINTENDENT**

**Information from the State Superintendent**

**Leadership Team addition**

Superintendent Hofmeister introduced the newest member of the leadership team, Chief of Staff, Lt. Col. (Ret) Lance Nelson.

**ESEA Reauthorization and Waiver**

Superintendent Hofmeister said the Elementary and Secondary Education Act (ESEA) Flexibility Waiver renewal request will be submitted to the United States Department of Education (USDE) March 31, 2015. Dr. Cindy Koss, Deputy Superintendent, Academic Affairs and Planning, will present the updated ESEA renewal requirements and optional waivers.

**Education Rally**

Superintendent Hofmeister said the Education Rally is set to be held March 30, 2015, at the Capitol. Oklahoma educators and parents are coming out in support of ensuring the success of children with need highly qualified effective teachers and school leaders; solving the teacher shortage, increasing teacher compensation and instructional days.

**Recognition of Pryor High School as a State  
School of Character by Character.org**

Superintendent Hofmeister recognized Pryor High School on being selected as a State School of Character in Oklahoma by the Character.org. Don Raleigh, Superintendent and Pryor High School staff members Evett Barham, Susan Rice, and Donna Hendrickson were present.

## **BOARD ADMINISTRATIVE**

### **February 16-17 Joint Special Meeting Minutes of the State Board of Education-Standards Setting Steering Committee Approved**

Board Member Baxter moved to approve the minutes of the February 16-17 joint special meeting. Board Member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, abstain; and Superintendent Hofmeister, yes.

### **Resolution Honoring William F. “Bill” Shdeed, State Board of Education Member Approved**

Board Member Price moved to approve the Resolution honoring Board member William F. “Bill” Shdeed. Board member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister.

## **CONSENT DOCKET Approved**

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2014-2015 school year and other requests:

- (a) **Allow Two School Days in a 24-Hour Period – 70 O. S. § 1-111**  
Marietta Public Schools, Love County  
Porter Consolidated, Wagoner County
- (b) **Planning Period – OAC 210:35-7-41 and OAC 210-35-9-41**  
Chickasha Public Schools, Grady County  
Stillwater Public Schools, Payne County
- (c) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates – 70 O. S. § 6-187
- (d) Request approval of an alternative Summer Academy Reading Program (SARP) for Union Public Schools–OAC 210:15-27-1;70 O.S.§ 1210.508C; 70 O.S. § 3-104

Board member Price moved to approve the Consent Docket. Board member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

## **FINANCIAL SERVICES**

### **FY2015 General Fund Balance Penalties Approved**

Renée McWaters, Executive Director, State Aid, presented waiver requests for seven (7) school districts for the second consecutive year which exceeded their general fund balance allowable amount for the 2013-14 school year ending June 30, 2014. Ms. McWaters said an exception to the waiver requirement would require a statutory change.

Board member Ford moved to approve the seven (7) penalty waiver requests. Board member Shdeed seconded the motion.

Superintendent Hofmeister said in January the State Department of Education (SDE) requested the Legislature pass this part of the budget in order for the funds to be freed. At this time, we are waiting for an action by the Legislature. Superintendent Hofmeister concurred with Mr. Price's suggestion that the SDE advocate for a legislative change when a school district has a legitimate reason in the future.

The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

### **ACADEMIC AFFAIRS and PLANNING**

#### **Permit Tulsa Technology Center to offer AP Studio Art2-D Course for Fine Art Credit Approved**

Melissa White, Executive Director, Counseling/ACE presented a request on behalf of Tulsa Technology Center to offer fine arts credits for the AP Studio Art 2-D course.

Board member Ford moved to approve the request. Board member Price seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

#### **On Behalf of Oklahoma Department of Career and Technology Education to offer Core Credit in Science and Math Credit Approved**

Ms. White presented a request on behalf of the Oklahoma Department of Career and Technology Education to offer math and science core credit courses that meet the core curriculum requirements of 70 O.S. § 11-103.6.

Board Member Ford moved to approve the core credit courses request. Board Member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

#### **Adoption of Revised/New Subject Matter Standards for World Languages Approved**

Desa Dawson, Director, World Languages presented a request to adopt the revisions to the Oklahoma Academic Standards for World Languages pursuant 70 O.S. § 11-103.6.

Board Member Baxter moved to approve the revised new standards request. Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

### **Presentation on the current status of the ESEA Flexibility Waiver**

Dr. Cindy Koss, Deputy Superintendent, Academic Affairs and Planning, presented an overview of the *Elementary and Secondary Education Act* (ESEA) Flexibility Waiver to be submitted to the United States Department of Education (USDE) Tuesday, March 31. Dr. Koss provided the waiver requirements, process and the three principle designs to extend the flexibility for ESEA for an additional three (3) years for review.

This was a report only and no action was required.

## **LEGAL SERVICES**

### **Administrative Rules Approved**

Lori Murphy, Assistant General Counsel, presented the following administrative rules pursuant to Administrative Procedures Act, 75 O.S. 250, *et. Seq.*:

- (1) Chapter 1. State Board of Education  
Subchapter 5. Due Process  
**210:1-5-6. Suspension and/or revocation of certificates  
[AMENDED]**

Board Member Ford moved to approve striking the second underlined sentence of the amended rule under **(f) (10) Continuance of a hearing**, "In the event that a hearing is continued due to pending criminal charges, a continuance may be granted until the charges have been disposed." Board Price seconded the motion.

The Board discussed concerns of the proposed rule amendment.

The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

Board member Shdeed moved to approve the amended rule as amended. Board member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

- (2) Chapter 10. School Administration and Instructional Services  
Subchapter 1. General Provisions  
**210:10-1-5. Audits [AMENDED]**

Board member Price moved to approve the amended rule. Board Member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

- (3) Chapter 10. School Administration and Instructional Services  
Subchapter 1. General Provisions  
**210:10-1-22. Criteria for extended day schedule [NEW]**

Board member Ford moved to approve the new rule. Board member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

- (4) Chapter 10. School Administration and Instructional Services  
Subchapter 13. Student Assessment  
**210:10-13-11. Testing students with disabilities [AMENDED]**

There was no motion for the proposed amended rule request and was not approved.

Ms. Richey said the need to add information regarding accommodations into the testing rule developed when the department eliminated the Oklahoma Modified Alternate Assessment Program (OMAAP) test. Students on an Individualized Education Plan (IEP) would be required to take the regular Oklahoma Core Curriculum Test (OCCT). Federal and State laws required adequate accommodations to be provided to students on the OCCT assessment.

Board member Ford moved to approve the amended rule. Board member Price seconded the motion. Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

- (5) Chapter 10. School Administration and Instructional Services  
Subchapter 13. Student Assessment  
**210:10-13-23. Emergency exemptions [NEW]**

Board member Price moved to approve the new rule. Board member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

**Superintendent Hofmeister recessed the meeting at 2:30 p.m. and reconvened at 2:35 p.m.**

## **FIRST-YEAR SUPERINTENDENTS**

First-year superintendent(s) attending the meeting were Lori Helton, Locust Grove Public School; and Lynn Maxwell, Ryal Public Schools.

## **LEGAL SERVICES**

### **Administrative Rules Approved**

- (6) Chapter 15. Curriculum and Instruction  
Subchapter 13. Special Education  
**210:15-13-7. Lindsey Nicole Henry Scholarship for Students with Disabilities Program [AMENDED]**

Board member Price moved to approve the amended rule. Board member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

- (7) Chapter 15. Curriculum and Instruction  
Subchapter 13. Special Education  
**210:15-13-8. High needs risk pool funding [NEW]**

Board member Price moved to approve the new rule. Board member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

- (8) Chapter 15. Curriculum and Instruction  
Subchapter 35. English Language Learner Programs [NEW]

(a) **210:15-35-1. Definitions [NEW]**

Board member Price moved to approve the new rule. Board member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

(b) **210:15-35-2. Responsibilities of school districts [NEW]**

Board member Price moved to approve the new rule. Board member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

(c) **210:15-35-3. Assessments [NEW]**

Board member Ford moved to approve the new rule. Board member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

- (9) Chapter 20. Staff  
Subchapter 9. Professional Standards: Teacher Education and Certification  
**210:20-9-96. Requirements for renewal or reissuance of certificates [AMENDED]**

Board Member Shdeed moved to approve the amended rule. Board Member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

- (10) Chapter 20. Staff  
Subchapter 41. Teacher and Leader Effectiveness [NEW]  
(a) **210:20-41-1. Teacher and Leader Effectiveness System overview [NEW]**

Board member Ford moved to approve the new rule. Board member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

(b) **210:20-41-2. Quantitative components of the Teacher and Leader Effectiveness System [RESERVED]**

Board members asked questions and discussed the recommendations.

Board member Baxter moved to approve reserving the proposed rule. Board member Price seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

(c) **210:20-41-3. Qualitative components of the Teacher and Leader Effectiveness System [NEW]**

Board members asked questions and discussed the recommendations.

Board member Baxter moved to approve the new rule. Board member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

(11) Chapter 25. Finance  
Subchapter 3. Funding Criteria  
**210:25-3-4. Personnel [AMENDED]**

Board member Price moved to approve the amended rule. Board member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

(12) Chapter 25. Finance  
Subchapter 3. Funding Criteria  
**210:25-3-8. "Economically disadvantaged" status [NEW]**

Board member Price moved to approve the new rule. Board member Ford seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

(13) Chapter 30. School Facilities and Transportation  
Subchapter 5. Transportation

(a) **210:30-5-5. Transportation routes and boundaries [AMENDED]**

Board member Baxter moved to approve the amended rule. Board member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

(b) **210:30-5-6. School buses [AMENDED]**

Board member Ford moved to approve the amended rule. Board member Price seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

(c) **210:30-5-8. School bus driver certification [AMENDED]**

Board member Shdeed moved to approve the amended rule. Board member Ford seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

- (14) Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools  
Subchapter 25. Student Entrance and Progression Through the System  
**210:35-25-2. Student entrance and progression through the system [AMENDED]**

Board members asked questions and discussed the recommendations.

Board member Baxter moved to approve amending the stipulating language to include “an accredited or similarly qualified school outside the state of Oklahoma.” Board member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

Board member Shdeed moved to approve the amendment of the new rule as amended. Board member General Baxter seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

- (15) Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools  
Subchapter 29. Alternative Education Academies, Programs, and Schools

(a) **210:35-29-2. Definitions [AMENDED]**

Board member Price moved to approve the amended rule. Board Member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

(b) **210:35-29-7. Abbreviated day schedule [AMENDED]**

Board member Baxter moved to approve the amended rule. Board member Shdeed seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

(c) **210:35-29-8. Requirements for alternative education programs [NEW]**

Board member Price moved to approve the new rule. Board member Baxter seconded the motion.

Board members asked questions and discussed the recommendations.

The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

**Amend the Oklahoma State Department of Education Student Data Policy  
approved to implement provision of the Student Data Accessibility,  
Transparency and Accountability Act of 2013, 70 O. S. § 3-168 – Tabled**

Kimberly Richey, General Counsel, presented a request to amend the approved Student Data Policy of the State Department of Education (SDE) to address and implement challenges and clarify data governance procedures and processes of the Student Accessibility, Transparency and Accountability Act of 2013 (House Bill 1989).

Board members asked questions and discussed the recommendations.

Board member Ford moved to table the request. Board member Price seconded the motion. The motion carried with the following votes: Mr. Shdeed, yes; General Baxter, yes; Mr. Price, yes; Ms. Ford, yes; and Superintendent Hofmeister, yes.

**Data Governance Process to implement provisions of the Student Data,  
Accessibility, Transparency and Accountability Act of 2013 - Tabled**

Dawn Davies-Felty, Data Governance Coordinator, SDE-OMES presented an overview of the SDE data governance program and how it relates to the requirements of the Student Data Act.

John Kraman, Senior Advisor for Education and Workforce, OMES provided information regarding the out-of-date student data policy and SBE policies protecting privacy.

Board member Ford moved to table the request. Board member Shdeed seconded the motion. The motion carried with the following votes: Ms. Ford, yes; Mr. Price, yes; General Baxter, yes; Mr. Shdeed, yes; and Superintendent Hofmeister, yes.

**ADJOURNMENT**

There being no further business Superintendent Hofmeister adjourned the meeting at 3:50 p.m.

The next regular meeting of the State Board of Education will be held on Thursday, April 23, 2015, at 9:30 a.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

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Joy Hofmeister, Chairperson of the Board

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Terrie Cheadle, Secretary to the Board